



STATE OF MICHIGAN

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GOVERNOR

DEPARTMENT OF LABOR & ECONOMIC GROWTH  
ROBERT W. SWANSON  
DIRECTOR

Michigan Occupational  
Safety & Health Administration  
(MIOSHA)

## GENERAL INDUSTRY SAFETY STANDARDS COMMISSION MEETING

October 11, 2006--9:30 A.M.

STATE SECONDARY COMPLEX, 7150 HARRIS DRIVE, LANSING  
GENERAL OFFICE BUILDING, CONFERENCE ROOM B

### MINUTES

#### **MEMBERS PRESENT:**

Mr. Thomas Pytlik  
Mr. Dennis Emery  
Mr. Dwayne Betcher

Mr. George Reamer  
Mr. Jeffrey Radjewski  
Mr. William Borch

#### **MEMBERS ABSENT:**

Mr. Karl Heim

#### **DEPARTMENT PERSONNEL PRESENT:**

Ms. Eva Hatt, Safety & Health Manager GISDH  
Mr. John Brennan, Division Director GISHD  
Ms. Marsha Parrott-Boyle, Program Manager  
Standards Section  
Mr. Louis Peasley, CET Grant Administrator

Mr. Chris Morano, Safety Inspector GISHD  
Ms. Cindy Eicher, Standards Section Secretary  
Ms. Dena Hendon, Analyst, Standards Section  
Mr. Ron Ray, Acting Director, Management  
and Technical Services Division

#### **VISITORS ATTENDING:**

Mr. Jim Fisk

Mr. Lynn Coleman

Mr. Homer Sterner

Ron Niblock

Kathleen Dobson

GI-58 Advisory Committee Member & Michigan Laborers Training

GI-58 Advisory Committee Chairperson

GI-58 Advisory Committee Member & General Motors Corporation

GI-58 Advisory Committee Vice-Chairperson & Alberici Constructors

#### MISSION STATEMENT

THE MISSION OF THE GENERAL INDUSTRY SAFETY STANDARDS COMMISSION IS TO PROVIDE THE LEADERSHIP AND VISION NECESSARY TO ENSURE A SAFE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN.

THE COMMISSION INVOLVES EMPLOYEES AND EMPLOYERS IN THE DEVELOPMENT OF SAFETY STANDARDS AS IT ENDEAVORS TO CONTINUALLY EXAMINE AND IMPROVE THOSE STANDARDS FOR PURPOSE, CLARITY, APPLICABILITY, ENFORCEABILITY, AND COST EFFECTIVENESS.

OUR VISION IS TO BE A RECOGNIZED LEADER IN SAFETY FOR THE WORK ENVIRONMENT FOR THE PEOPLE OF MICHIGAN BY INCORPORATING THE CHANGING NEEDS OF NEW TECHNOLOGIES AND METHODS INTO OUR STANDARDS.

**Agenda Item #1--Call to Order and Roll Call**

The October 11, 2006 General Industry Safety Standards Commission meeting was called to order by Chairperson Pytlik. A roll call was taken and a quorum was present.

**Agenda Item #2—Approval of Minutes for July 12, 2006**

A motion was made by Commissioner Reamer and was seconded by Commissioner Radjewski to approve the minutes of the July 12, 2006 Commission meeting.

**MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #3--Standards Section Update—Marsha Parrott-Boyle**

Ms. Marsha Parrott-Boyle reviewed with the commissioners the MIOSHA Strategic Goals for FY04-08. She pointed out that we just entered into the fourth year of the five year plan. And that MIOSHA is in the early planning stages of the next five year Strategic Plan. Commissioners will have an opportunity to have input on the next strategic plan cycle. Ms. Parrott-Boyle reviewed the backlog summary of standards currently underway and those awaiting revision and their order of priority in detail.

Ms. Parrott-Boyle advised the commissioners that the ergonomics advisory committee has begun working on the appendices and developing recommendation for other education resources. The commission will be receiving an update from the committees' liaison at their next meeting. Since the meetings are focusing on the appendices and resources and not actual rulemaking they have been opened up for other interested parties to attend. Commissioner Reamer asked for a copy of the latest draft. Commissioners will be emailed the current draft ergonomic standard as well as a schedule of upcoming meetings.

Ms. Parrott-Boyle advised that CS Part 32 & GI Part 58, Aerial Lifts Advisory Committee has completed their work and will be presenting their proposed documents later this morning. This committee started holding meetings in July of 2005. In April, the Committee, with permission from the Commission added GI Part 5 Scaffolding to this consideration where it addresses aerial lifts.

The Commissioners received a copy of *Census of Fatal Occupational Injuries Michigan 2005*.

**Agenda Item #4--Old Business**

**A. GI Part 58, GI Part 5 Aerial Lifts Advisory Committee Final Report with Draft**

Ms. Dena Hendon introduced herself and asked the Advisory Committee members present to introduce themselves to the Commission. Ms. Dena Hendon distributed three handouts to the commission:

CS Part 32/GI Part 58 Advisory Committee Roster  
GI Part 5 Scaffolding Proposed Draft  
Primary Rule Revision Issues

The commission had previously received GI Part 58 previously titled Vehicle Mounted Elevating and Rotating Work Platforms, which the Advisory Committee proposed to rename Aerial Work Platforms.

Ms. Hendon went through the proposed draft page by page and noted all the changes, additions and deletions that are proposed. General discussion was held on the advisory committee's recommendations. Detailed discussion was held regarding various concerns by the commission including operating instructions being required on equipment, fall protection belt tie off and including

dates of reference standards. The commissioners did not wish to change any of the proposed language. Mr. John Brennan noted in R 408.158.11 and R 408.158.12 where the phrase “described in this rule” was used, the proper term should be “described in these rules”. A motion was made by Commissioner Radjewski and seconded by Commissioner Emery to accept and move forward the edited draft. MOTION CARRIED UNANIMOUSLY.

Ms. Parrott-Boyle thanked Dena Hendon and the advisory committee for all their outstanding work and efforts in developing and presenting their collective recommendations. The commissioners also expressed their appreciation and thanks for a job well done.

### **Agenda Item #5--New Business**

#### **A. 2006-07 MIOSHA CET Grants**

Mr. Louis Peasley announced that this year MIOSHA awarded 20 CET grants for a total of \$1.15 million. There were 36 applications for grants received. The amount awarded is down a little from the \$1.25 million awarded last year. He indicated the CET grants were announced in a press release on Friday, October 6, 2006. Mr. Peasley gave an overview of the types of grants that were awarded and an overview of the grant process and the purposes of the grants awarded. A listing of the CET grants this year will be forwarded to the commissioners. One of the grants went to the Associated General Contractors, Michigan Chapter who will deliver an interactive computer based training program for the construction industry.

### **Agenda Item #6--General Industry Safety and Health Division Update—John Brennan, Director**

Mr. John Brennan informed the Commissioners that in 2006 there have been 21 fatalities under general industries jurisdiction to date, however there is an incident under investigation on three deaths that if they are considered program related will be added to the fatality log. Mr. Brennan stated that five fatalities involved power industrial trucks and that the next MIOSHA News will be dedicated to power industrial trucks to increase awareness and hopefully reduce the number of incidents in the future. In addition, four of the fatalities were in the area of tree trimming and MIOSHA is also putting forth efforts to try and reduce those incidents. Letters have been sent to all employers involved in tree trimming. A month after the mailing, enforcement efforts will be stepped up.

Mr. Brennan advised the commissioners that the division has recently received staff training that included training from the attorney general's office on documentation in case files; proper lifting techniques; personal protective equipment; Part 315 Chromium (VI) in General Industry and OSHA laser training. The division is also focusing additional inspection efforts on:

- Power press injury inspections – the division is investigating any known power press injury
- Re-inspections – if an employer falls under a strategic plan focus and receives over five serious items cited, they will be targeted for a reinspection and must have improvement or they will not receive the full reduction for good faith or under a settlement agreement.

Mr. Brennan stated that MIOSHA is having discussions with Michigan Sugar Company working towards a possible partnership. Michigan Sugar had received a citation for their Caro plant with over \$277,000 in penalties.

Mr. Brennan advised there were no changes in the division staff since their last meeting. The division has conducted over 165 joint inspections since October 1, 2005. The Employee Discrimination Section

resolved 80% of their cases within 90 days during the month of September. The division is still reviewing the employee complaint process. The number of employee complaints received last year was up 30% from the previous year.

**Agenda Item #7--MIOSHA Update—Ron Ray, Acting Division Director, MTSD**

Mr. Ron Ray expressed his appreciation for the work that the commissioners do and that he enjoyed being able to hear their discussions. Mr. Ray advised that Doug Kalinowski as acting Deputy Director of DLEG is overseeing the Unemployment Agency, Workers Compensation, Wage and Hour and recently added to his responsibilities was MIOSHA.

Mr. Ray reported that MIOSHA's second "Take a Stand Day" on August 16, 2006 was a great success with over 220 employers asking for and receiving consultative services.

Mr. Ray stated that MIOSHA staff continues to distribute customer comment cards to employers and employees requesting feedback on the usefulness their experience with MIOSHA staff. MIOSHA has received over 480 comment cards back and has a 98.6% positive response rate.

Mr. Ray announced that MIOSHA will be training staff in being more persuasive. They will be working with staff on how to get our message across in the most effective matter.

A News Advisory titled MIOSHA Launches Extreme Safety Youth Campaign was distributed. Mr. Ray explained a mailing was completed in September to all high schools, charter and vocational schools.

Mr. Ray advised that both MIOSHA consultation and enforcement staff will begin using the same targeting list of employers to visit. CET staff will send letters to employers advising that they are on the targeted list and offer their services. Shortly after that enforcement will begin conducting inspections.

Mr. Ray confirmed that there were 10 fatalities in the month of August, 2006 which is the worst month since March of 1999. The fatalities for 2006 are at 35 currently. Last year the end of the year total was 36.

The current MIOSHA Strategic Plan runs through fiscal year 2008. It's time to start thinking about the 2009 to 2013 Strategic Plan. There will be some changes ergonomic will remain as a target area and occupational asthma may be added.

MIOSHA will be moving back to the General Office Building in November.

**Agenda Item #8--OSHA Update--Cynthia Hutchens-Smith, Lansing Area Director**

Ms. Hutchens-Smith was unable to attend the meeting.

**Agenda Item #9—Next Meeting**

The commissioners received a proposed meeting schedule for 2007. Meeting dates and locations were discussed. Ms. Parrott-Boyle also advised that at their next meeting the commission will need to elect officers for the 2007 calendar year. The next meeting is schedule for January 10, 2007 at the General Office Building.

**Agenda Item #10--Public Comment**

Mr. Jim Fisk told the commissioners that he was impressed with the information he received at the meeting today. He expressed interest in the CD that is anticipated to be developed. Mr. Fisk related an incident recently in which he was able to turn around a management person's negative opinion of a proposed ergonomic standard. He indicated he has found that many people have the misconception that it would cost their business money, when in actuality it can save employers money. He would be interested in any material that may be available to show proposed savings.

Mr. Fisk stated he was also impressed with the briefing book he received at the last meeting and would like to receive additional copies if possible.

**Agenda Item #11--Adjournment**

A motion was made by Commissioner Borch and was seconded by Commissioner Radjewski that with no further business before the Commission, the meeting be adjourned. **MOTION CARRIED UNANIMOUSLY**

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**Mr. Thomas Pytlik, Chairperson**

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**Date**